

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

NO. CR18-062 RAJ

Plaintiff

V.

LAILONNIE LEANNE CABIAO-PAGE,

THIRD AMENDED ORDER FOR RESTITUTION

Defendant.

On November 15, 2019, this Court entered an Order terminating Defendant's participation in the Drug Reentry Alternative Model (DREAM) program, granting Defendant's request to withdraw her previously entered guilty pleas, and granting the government's request to dismiss with prejudice the criminal charges filed in this case.

On November 15, 2019, this Court also accepted the parties' Stipulation for Order Regarding Payment of Restitution and Retention of Jurisdiction for Enforcement, Dkt. No. 67, and entered an Order for Restitution, Dkt. No. 68.

On July 17, 2020, the parties filed a Third Amended Stipulation for Order Regarding Payment of Restitution and Retention of Jurisdiction for Enforcement, notifying the Court that the prior Second Amended Stipulation and this Court's subsequent Order for Restitution did not account for prior disbursements of restitution payments and failed to correctly identified each victim's proportionate share of the loss amount by percentage instead of using a fixed dollar amount.

1 The Court having reviewed the parties' Third Amended Stipulation for Order
2 Regarding Payment of Restitution and Retention of Jurisdiction for Enforcement filed on
3 July 17, 2020, hereby accepts the Third Amended Stipulation as drafted and orders:

4 1. The previously agreed restitution amount of \$83,563.61, less any amounts
5 paid, shall be due and payable immediately;

6 2. The Defendant shall continue making restitution payments through the
7 clerk of the court in an amount of no less than \$25 per month, with the minimum
8 payment subject to revision by order of the Court depending upon the defendant's
9 financial circumstances, until the restitution obligation is satisfied. Payments will be
10 made to the *United States District Court, Western District of Washington*, referencing
11 case No. CR18-062RAJ, and deliver such payments either personally or by First Class
12 Mail to:

13 United States District Court, Western District of Washington
14 Attn: Financial Clerk – Lobby Level
15 700 Stewart Street
16 Seattle, Washington 98101

17 3. The identified victims entitled to restitution are Fred Meyer, Quality Food
18 Centers (QFC) and Capital One Bank. The previously agreed restitution amount of
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1 \$83,563.61 shall be distributed by the Financial Clerk to the identified victims in the
 2 following amounts to the following addresses:

3 Victim	4 Amount	5 Address
6 Fred Meyer	7 \$42,612.65	8 Fred Meyer ATTN: 04002-31A Civil PO Box 42121 Portland, OR 97242
9 Quality Food Centers	10 \$40,941.56	11 QFC 10116 NE 8th Street Bellevue WA 98004 12 *Please reference Cabiao- Page on the restitution checks
13 Capital One Bank	14 \$9.40	15 Capital One Bank Specialty Investigations PO Box 85582 Richmond, VA 23260 16 *Please reference Capital One Case: Law ID 100501 on restitution checks

17 4. The \$300 restitution payments previously paid by the Defendant and
 18 distributed to Bank of America shall be applied to reduce the outstanding balances owing
 19 to Fred Meyer and Quality Food Centers in the amounts of \$153 and \$147 respectively.

20 5. Compliance with this obligation shall be enforced as follows:

21 (i) Defendant shall report all restitution payments, specifying the amounts paid
 22 and providing proof of payment, in writing to United States Probation, U.S.
 23 Probation Office – Western District of Washington, 700 Stewart Street,
 24 Suite 11101, Seattle, Washington 98101, and the U.S. Attorney’s Office,
 25 Attn: DREAM Executive Review Team, 700 Stewart Street, Suite 5220,
 26 Seattle, Washington 98101, on a quarterly basis, that is, within one week
 27 following expiration of each 90 day period after dismissal of criminal
 28 charges;

- 1 (ii) Defendant shall report employment and wage information, specifying
2 employer name, address and phone number, and wage/salary amount, in
3 writing to United States Probation and the U.S. Attorney's Office, within
4 one week after employment commences;
- 5 (iii) Defendant shall report change of residential address and phone numbers in
6 writing to United States Probation and the U.S. Attorney's Office within
7 one week of a change;
- 8 (iv) In the event the U.S. Attorney's Office believes Defendant has defaulted on
9 her restitution obligation, it shall first advise her in writing and provide an
10 opportunity to cure the default or submit a written explanation to the U.S.
11 Attorney's Office within one week of receiving the default notice;
- 12 (v) If, after reviewing defendant's response, the U.S. Attorney's Office
13 continues to believe Defendant has defaulted on her restitution obligation, it
14 shall file with the court an *ex parte* application seeking an order to show
15 cause why Defendant should not be held in contempt for failing to comply
16 with the Court's order regarding restitution.

17 6. This Court shall retain jurisdiction over this matter for purpose of enforcing
18 this Order.

19 IT IS SO ORDERED.

20 DATED this 17th day of July, 2020.

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24 The Honorable Richard A. Jones
25 United States District Judge
26 Western District of Washington
27 DREAM Judicial Officer
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